

Address by Speaker Waggoner Carr to Members of the House of Representatives, 56th Texas Legislature, May 12, 1959. For release upon delivery.

Ladies and Gentlemen of the House:

Two years ago, on the closing day of the Regular Session of the 55th Legislature, you allowed your Speaker, who stands before you now, to say a few words about the accomplishments of that session. Today, as we approach the end of this Regular Session of the 56th Legislature, I ask you to accord me the same privilege once more.

There is little point in dwelling upon the differences between the previous Legislature, in which so many of us served together, and this one. We achieved many things for the State of Texas in 1957--and, in my opinion, the members of this House already have done a great deal for Texas in 1959. It is true that we have not done all we had hoped to do by this good hour, but there is always satisfaction in having done our best--and in having laid strong foundations for completing the work that remains.

Who can say whether, if we had continued to work steadily for 16 extra days, as we did in the 55th Legislature, our labors would not have been finished? With the wisdom of hindsight, some would say that the 55th Legislature did not really finish its work, for the miscalculations of those days are haunting us at this moment. But such thoughts are futile and lead us nowhere.

What I propose to do for a few minutes today is to point out, lest they be obscured in the press of business, and perhaps in the momentary mood of

apparent frustration, some of the solid accomplishments of the 56th Legislature, and particularly of this House. I say to you that these achievements are considerable in themselves, and that they point the way by which we shall meet and solve the problems of Texas.

In admitting that our program has not coincided with the ideal 120-day timetable we set for ourselves, we need not be discouraged. Another count-down will begin less than a week from today and, between now and then, we can check our circuits and our instruments, correct our aim, and get ready to blast off more confidently toward our target. The target is, of course, constructive service to the people of Texas.

This is a hard-working House. It is a team shaped by common experience in uncommon times. I want you to know that I appreciate all of you, both individually and as members of committees. I know that every one of you has toiled long and diligently and intelligently for the past four months. More of the same kind of effort will be necessary during the coming four or five weeks.

Despite the complex and unique nature of our problems, we have, I think, demonstrated a determination to take the long view, looking toward tomorrow. This is clearly evident in the general appropriations bill (H. B. 216) which the House passed on April 7. In it, while exercising economy, we recognized the necessity of continuing all essential State services, and expanding some of them, during the next biennium. For example, H. B. 216 includes the much-needed building programs of the Texas Youth Council, the State Hospitals and Special

Schools, and the Department of Corrections. It also underwrites the most forward-looking program of higher education in the history of Texas, plus increased public welfare support and emphasis upon many other worthwhile phases of our State government.

Now permit me to enumerate a few of the other significant measures we in this House have passed during the current session. They range all the way from the highest level of State policy to the most detailed housekeeping operation--from succession to the Governor's office, as provided in S. B. 340, to the moving of furniture and judges to the new Supreme Court Building, as described in H. B. 735. I shall, of course, mention only a limited number of the 1,000 bills that have been introduced in the House and the 487 introduced in the Senate during the present session.

#### LEGISLATURE

Beginning with the Legislature itself, we note passage by the House on April 28 of H. J. R. No. 3, setting annual salaries for Representatives and Senators, by constitutional amendment to be voted upon by the people. We rejected a proposal (H. J. R. No. 29) to increase the minimum age qualifications for members of the Legislature, but passed H. J. R. No. 41, placing limitations on the number of Representatives. H. S. R. No. 202, creating the House General Investigating Committee, also was passed. This reminds me of the happy fact that no scandals of the type that plagued this House two years ago have occurred in the 56th Legislature.

## MANAGEMENT AND ORGANIZATION

In the important area of economy and efficiency in operation of the State government, the House passed H. B. 29, setting up a "Little Hoover Commission" to ferret out and correct instances of waste and pointless red tape. The transfer of administrative responsibility for the franchise tax from the Secretary of State to the Comptroller is effected by S. B. 403, which has been sent to the Governor. Reorganization of the Comptroller's office is provided in S. B. 402, passed by both Houses. Another business-like measure (H. B. 27), passed by House and Senate, authorizes the Board of Water Engineers to grant permits extending over several years. S. C. R. No. 18, passed by both Houses, authorizes establishment of a commission to study the consolidation of city and county services.

## STATE FINANCES

On April 3 the House passed significant legislation (H. B. 53) outlining definite procedures to be followed by the Comptroller of Public Accounts in certifying to the Legislature the financial data required by Section 49a, Article III, of our Constitution. Perhaps this bill, if it receives final passage by the Senate and approval by the Governor, will enable the Legislature to avoid future deficits such as the \$70-million debt with which we are burdened today. The House also has asked, in H. C. R. No. 70, that the Texas Research League continue its analysis of the disbursement of public money, the keeping of records, and the administration of taxes. Now pending in the House is a resolution (S. C. R. No. 63) already passed by the Senate which requests the Legislative

Council to study the fee systems employed by various Executive Department agencies. Another resolution (S. C. R. No. 62) asks the Council to continue its study of the State fiscal structure, including special funds.

#### LOAN SHARKS

One of the high points of this session, in my opinion, is the passage by the House and Senate of H. J. R. No. 6, which proposes an amendment to the Constitution giving the Legislature authority to regulate money-lenders and interest rates. When ratified by the people, this will constitute a giant first step toward the elimination of "loan-shark" practices in Texas--something good citizens and reputable lenders have sought for many years. It is now going to be essential to license and regulate lenders in order to complete the two-step solution to this problem as recommended by the Legislative Council. This should be done at the earliest possible time.

#### BUSINESS REGULATION

Other phases of business regulation have been considered by this Legislature. To protect investors, the House and Senate passed S. B. 175 relating to the sale of securities. The Banking Code, setting forth the procedures of the Finance Commission, requirements for incorporation of State banks, and various related matters, was revised by passage of H. B. 400. A comprehensive code regulating the liquefied petroleum gas industry was enacted by the Legislature in H. B. 4, which creates a new division in the Texas Railroad Commission. The Texas Business Corporation Act was amended by H. B. 144, which has

received final passage and the Governor's approval. A bill prohibiting false advertising of wholesale operations (H. B. 201) has passed both Houses. The composition and activities of non-profit corporations will be regulated under terms of H. B. 145, which has passed both Houses. The Governor already has signed S. B. 248, pertaining to capital stock and minimum surplus of corporations.

## INSURANCE

The importance of a sound insurance industry to the Texas economy has been recognized by the 56th Legislature, as by its predecessors. The House has proposed, in H. B. 910, passed on May 4, that the members of the Board of Insurance Commissioners (reorganized by the 55th Legislature) devote full time to their duties and be paid annual salaries. H. B. 810, left pending in the Senate, clarifies the requirement that insurance companies file sworn statements with the Board. Procedures to be followed in the consolidation of insurance companies are spelled out in H. B. 787, passed by the House on April 16. Several bills--including H. B. 44, H. B. 124, H. B. 391, and H. B. 677, all of which have been passed by this Legislature--regulate insurance company investments. H. B. 624, which has passed both Houses, sets up standards for chartering life, health and accident insurance companies. As a basic approach to the problem of State regulation of insurance companies, the House passed on May 7 H. C. R. No. 49, requesting the Legislative Council to study the need for revision of the Insurance Code.

## ADVERTISING TEXAS

In response to approval of a constitutional amendment by the voters of Texas last November, the Legislature has moved to establish the Lone Star State's first official advertising program designed to attract tourists and industry. The Texas Development Board is created by S. B. 152, which has been transmitted to the Governor for approval. As the bill now stands, the Governor, the Chairman of the Highway Commission, and the Chairman of the Industrial Commission will comprise the new board.

## WATER SAFETY

A comprehensive act designed to promote safety on the waters of Texas--from the plains to the mountains to where the sea breezes blow--is H. B. 11, which both the House and the Senate have passed.

## TRAFFIC SAFETY

The Governor has indicated that he may submit traffic safety matters to the coming Special Session. The House has given serious attention to numerous highway safety measures during the Regular Session. S. B. 11 and H. B. 993, which operate together to give the Highway Commission authority to regulate truck load limits, have been approved by the Governor. This entire field was the subject of a recent report by the Legislative Council, and I am sure the House would welcome submission of this important topic by the Governor at the appropriate time.

## HIGHWAY DEPARTMENT LEASES

The House has passed H. C. R. No. 112, requesting the Legislative Council to make a fundamental study of the leasing of highway rights-of-way for oil and gas development. Both House and Senate have passed during this session H. B. 837, which bars the Highway Department from leasing these lands on the rights-of-way. The power of eminent domain to condemn land for highway rights-of-way is given to counties by H. B. 760, which has passed both the House and Senate.

## COURTS

Another step toward the goal of justice for all--and the remedy of injustice --was made with the passage by the 56th Legislature of H. B. 936, which allows compensation to persons who have paid fines or served sentences for crimes of which they are later proved innocent. Increased jurisdiction for small claims courts is provided in H. B. 484, which also has passed the House. Both Houses have passed S. B. 108 and H. B. 261, concerning selection of jurors.

## JUVENILES

This Legislature has demonstrated its deep concern about the problems of young people. The House has passed a request (H. C. R. No. 65) that the Legislative Council make a study of the laws relating to child care and juvenile delinquency. A special program for pre-school children with hearing loss has been authorized (H. B. 612) by both Houses. Another bill (H. B. 188) has been



passed by House and Senate to provide care and education for persons under 18 who are deaf and blind or blind and non-speaking. Property used to help young people understand and appreciate the American system of private enterprise is exempt from taxation by H. B. 231, passed by House and Senate. Various provisions to safeguard the welfare of juveniles are contained in H. B. 617 (cash bonds), H. B. 643 (investments), H. B. 748 (custody in divorce cases), and S. B. 47 (neglect or desertion).

#### LABOR

Two amendments to the workmen's compensation laws have passed the House. H. B. 752 increases funeral payments from \$250 to \$500. S. B. 61, referred to a conference committee today, revises the method of computing "average weekly wages" for benefit purposes. A request (H. C. R. No. 8) for the Legislative Council to study the adequacy of Texas' workmen's compensation statutes is pending in the Senate. An important measure (S. B. 87) relating to pay and working hours of policemen and firemen has passed both Houses.

#### VETERANS

To encourage investment in the veterans' land program, S. J. R. No. 6 has been proposed, amending the Constitution by increasing maximum interest on Veterans' Land Board bonds to three and one-half per cent. Without this resolution the veterans' program would probably have been drastically curtailed within a short time. This resolution has passed both Houses. Another resolution, S. J. R. No. 11, authorizing home and business loans to veterans, is pending in the House.

## PUBLIC WELFARE

A long-needed step toward concerted action by State agencies was made with passage in both the House and the Senate of S. B. 17, creating the Texas Coordinating Commission for State Welfare Services. The Legislative Council staff will serve as Secretariat for the new Commission. Increased welfare payments for assistance to children, the needy blind, and senior citizens are proposed in H. B. 683, which was passed in the House on May 8. Continuance of a committee to study the problems of aged persons is proposed in S. C. R. No. 32, now pending in the House.

## PHYSICAL AND MENTAL HEALTH

S. B. 206, permitting cities and counties to organize cooperative health programs, has been passed by the Legislature and sent to the Governor. A new Texas Tuberculosis Code, H. B. 421, providing for the care and treatment of tubercular persons, also has received final passage. H. B. 773, which would make provision for the treatment and rehabilitation of alcoholics in State hospitals, was passed by the House May 4. The House and Senate have passed H. B. 535, establishing a State school for the mentally retarded, and H. B. 364, making it possible for persons once adjudged mentally incompetent to obtain judicial certificates upon recovery.

## ANIMAL HEALTH

This Legislature has changed the name of the Livestock Sanitary Commission to the Texas Animal Health Commission (H. B. 187). It also has under

consideration a major bill (H. B. 135) regulating the movement of livestock from markets in order to prevent the spread of contagious diseases; the House adopted the conference committee report on this bill today. H. B. 31, concerning brucellosis, has been finally passed. Poisons sometimes used for killing insects and rodents are regulated by two newly-passed laws, H. B. 634 and H. B. 556.

#### GAME AND FISH

Besides the usual great number of local game and fish laws, a major bill regulating the shrimp industry (H. B. 12) has been passed by the 56th Legislature. Its purpose is to conserve the important shrimp resources through closed seasons and other measures.

#### PUBLIC SCHOOLS

The House has passed H. B. 763, which allows the issuance of certificates to college graduates without teacher training courses and H. B. 30, which permits retired teachers to return to service without sacrificing their pensions. Pre-school instruction for non-English-speaking children is authorized in H. B. 51, passed by the House and the Senate. Local option elections on the question of abolishing the office of County Superintendent are provided in H. B. 101, now in conference committee.

#### HIGHER EDUCATION

As I indicated earlier in my remarks about appropriations, this House has gone on record in favor of increased State support for higher education. In

H. C. R. No. 71, the House has requested the Commission on Higher Education to make a special study of the role and scope of our State colleges and universities. We also have asked, in S. C. R. No. 64, that the Commission study the feasibility of making the University of Houston a State-supported institution. Midwestern University at Wichita Falls already has been accepted by the Legislature (S. B. 6), with approval of the Governor. Arlington State College (H. B. 6) and Tarleton State College (H. B. 8) have been elevated to senior college status by the 56th Legislature. The Legislature also has approved, and the Governor has signed into law, H. B. 9, directing the Board of Regents of the University of Texas to establish a medical branch at San Antonio.

#### ELECTION CODE

After lively debate and an unusual sequence of parliamentary developments, the House and Senate have agreed upon H. B. 158, which, as you know, moves the primary elections of 1960 up to May and June. Another interesting bill is H. B. 26, already passed by both Houses, which requires a statement of party affiliation at the time of voting in a primary. The House now has pending before it H. C. R. No. 86, providing for a committee to study the Texas Election Code.

#### STATE EMPLOYEES

The House has requested, through passage of H. C. R. No. 58 on May 5, that the Governor and the Legislative Budget Board continue the job classification study begun two years ago. This should make it possible for the 57th Legislature

to consider and use this valuable information in setting equitable pay scales. Increased salaries for State employees for 1960-1961 are contained in H. B. 216, and it is my hope and expectation that similar raises will appear in the general appropriation bill to be produced during the special session. S. B. 409, which has passed both Houses and allows payment of medical and funeral expenses of State employees injured or killed in line of duty, should correct a glaring defect in our employee benefit system.

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Fellow-members, these are some of the things we have accomplished during this Regular Session. The fact that we were not able to pass a complete tax program is, of course, regrettable, but we shall have another chance at that next week. Meanwhile, I believe we should not lose sight of the constructive work we have done.

During the remaining hours of this session, in the few days before we reconvene, and throughout the next month, I pledge to you my best and most sincere efforts and cooperation as we work together on behalf of the people of Texas.

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